

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT

Call to Order: Chair Jon Sonju, on February 9, 2011 at 3:00 PM, in Room 405 Capitol

ROLL CALL

Members Present:

Sen. Jon Sonju, Chairman (R)
Sen. Art Wittich, Vice Chairman (R)
Sen. Shannon Augare (D)
Sen. Edward Buttrey (R)
Sen. Lynda Moss (D)
Sen. Alan Olson (R)
Sen. Gene Vuckovich (D)

Members Excused:

Sen. Steven Gallus (D)
Sen. Bruce Tutvedt (R)

Members Absent:

None

Staff Present:

Leanne Kurtz, Legislative Branch
Kirk Lundby, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 234, 2/1/2011; SB 236, 2/1/2011
Executive Action:	SB 91 Tabled
Additional Information:	SB 191

HEARING ON SB 236

Opening Statement by Sponsor:

00:01:19 Sen. Edward Buttrey (R), SD 13, opened the hearing on SB 236, Revise solid waste laws related to local government.

Proponents' Testimony:

00:05:13 Donna Tenneson, Owner, City County Sanitation (CCS)
00:09:50 Dave Smigaj, (CCS)
00:10:13 Sen. Tutvedt entered the committee room
00:11:26 Dave Duffy, General Manager, (CCS)
00:15:58 Patrick Crowley
00:20:13 John Walsh, representing the Helena Building Industry Association (HBIA) and the Montana Building Industry Association (MBIA)
00:20:47 Sen. Gallus entered the committee room
00:22:05 Phil Ideson, Operations Manager, Allied Waste
00:22:36 Jon Bennion, representing the Montana Chamber of Commerce (MCC)
00:23:07 Max Bauer, General Manager, Allied Waste
00:24:56 Ronda Wiggers, representing the Great Falls, Helena and Kalispell Chambers of Commerce
00:25:50 Gary Spaeth, representing the Montana Solid Waste Contractors Association (SWCA)

EXHIBIT(los32a01)

Opponents' Testimony:

00:26:20 Ron Alles, City Manager, City of Helena
00:35:20 Judy Paynter
00:38:20 Alec Hansen, representing the Montana League of Cities and Towns (MLCT)
00:41:09 Jim Smith, Mayor, City of Helena
00:43:25 Bob Gilbert, representing the Cities of Glendive and Roundup
00:45:54 Gordon Morris, representing Lewis and Clark County
00:47:05 Steve Johnson, Superintendent, Solid Waste Department, City of Bozeman

EXHIBIT(los32a02)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:50:00 Sen. Vuckovich
00:50:24 Jim Smith, City of Helena
00:52:48 Sen. Vuckovich
00:53:26 Jim Smith
00:54:53 Sen. Gallus
00:55:52 Alec Hansen, (MLCT)
00:56:24 Ron Alles, City of Helena

00:56:51 Vice Chair Wittich
 00:57:49 Gary Spaeth, (SWCA)
 00:58:18 Sen. Buttrey
 00:58:55 Vice Chair Wittich
 00:59:57 Donna Tenneson, (CCS)
 01:01:29 Vice Chair Wittich
 01:01:34 Donna Tenneson
 01:02:22 Vice Chair Wittich
 01:02:39 Jim Smith

Closing by Sponsor:

01:02:59 Sen. Buttrey
 01:06:56 Chairman Sonju turned chairman duties over to Vice Chair Wittich

HEARING ON SB 234

Opening Statement by Sponsor:

01:07:44 Sen. Jon Sonju (R), SD 4, opened the hearing on SB 234, Generally revise municipal solid waste services.

Proponents' Testimony:

01:11:31 Gary Spaeth, (SWCA)
EXHIBIT(los32a03)
 01:14:49 John Whitman, Operations Manager, Allied Waste
 01:17:14 Chad Bauer, District Manager, Waste Connections
 01:19:19 Jon Bennion, (MCC)
 01:19:46 Dennis Johnston, Manager, Mackenzie Disposal
 01:25:07 Patrick Crowley
 01:26:54 Jerry Snell, representing Kuotenai Disposal
EXHIBIT(los32a04)
 01:28:11 Roger Bridgeford, Montana Waste Systems
 01:29:10 Jack Walsh, (HBIA)
 01:29:51 Aidan Myhre, representing the cities of Great Falls, Kalispell and Helena Chambers of Commerce
 01:31:02 Phil Ideson, Operations Manager, Allied Waste
 01:31:42 Dave Duffy, (CCS)

Opponents' Testimony:

01:36:20 David Mumford, Public Works Director, City of Billings
 01:39:40 Steve Johnson, Superintendent, Solid Waste Division, City of Bozeman
 01:42:07 Alec Hansen, (MLCT)
 01:47:52 Ron Alles, City Manager, City of Helena
 01:50:27 Bob Gilbert, representing the Cities of Glendive and Roundup
 01:53:12 John Forkan, representing the American Federation of State, County and Municipal Employees (AFSCME)
 01:54:04 Melissa Lewis, representing the City of Shelby

Informational Testimony:

01:55:29 Eric Dahlgren, Staffer, Montana Public Service Commission (PSC)

Questions from Committee Members and Responses:

01:58:25 Sen. Moss
 01:59:33 Alec Hansen, (MLCT)
 02:01:50 Sen. Moss
 02:02:36 Alec Hansen
 02:04:06 Sen. Buttrey
 02:04:28 Eric Dahlgren, (PSC)
 02:04:50 Sen. Buttrey
 02:04:56 Eric Dahlgren
 02:05:07 Vice Chair Wittich
 02:06:08 Gary Spaeth, (SWCA)
 02:06:44 Vice Chair Wittich
 02:07:30 Gary Spaeth
 02:08:21 Vice Chair Wittich
 02:08:56 David Mumford, City of Billings
 02:10:00 Sen. Vuckovich
 02:10:20 David Mumford
 02:11:02 Sen. Vuckovich
 02:11:21 Eric Dahlgren
 02:12:31 Sen. Vuckovich
 02:12:54 Eric Dahlgren
 02:13:11 Vice Chair Wittich
 02:13:26 Steve Johnson
 02:13:47 Vice Chair Wittich
 02:14:49 Sen. Sonju
 02:14:55 Vice Chair Wittich
 02:15:52 Sen. Sonju

Closing by Sponsor:

02:16:13 Sen. Sonju

Discussion:

02:16:54 Sen Sonju

EXECUTIVE ACTION ON SB 91

02:18:50 **Motion:** Sen. Olson moved that **SB 91 DO PASS.**

02:19:15 **Motion:** Sen. Wittich moved that **SB 91 BE AMENDED.**

[**EXHIBIT**\(los32a05\)](#)

[**EXHIBIT**\(los32a06\)](#)

02:20:10 **Vote:** Motion carried unanimously by voice vote of those present and voting.

02:20:50 **Motion:** Sen. Gallus moved that **SB 91 DO PASS AS AMENDED.**

Discussion:

02:21:22 Sen. Olson

02:21:49 Vice Chair Wittich

02:23:21 **Vote:** Motion failed 4-5 by roll call vote with Sen. Augare, Sen. Gallus, Sen. Moss and Sen. Olson voting aye. Sen. Augare and Sen. Tutvedt voted by proxy.

02:23:27 **Motion/Vote:** Sen. Wittich moved that **SB 91 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote of those present and voting.

Discussion:

02:24:11 Vice Chair Wittich

EXHIBIT(los32a07)

02:25:22 Leanne Kurtz, Legislative Services Division (LSD)

02:25:53 Vice Chair Wittich

02:26:19 Chairman Sonju

ADJOURNMENT

Adjournment:
02:26:54

Kirk Lundby, Secretary

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Additional Documents:

EXHIBIT([los32aad.pdf](#))